

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNION PACIFIC RAILROAD COMPANY,)	
)	
Plaintiff,)	
)	CIV. No. 8:05-CV-575
v.)	
)	
MIKE'S TRAIN HOUSE, INC.)	
doing business as MTH ELECTRIC TRAINS,)	
)	
Defendant.)	
)	
)	

STIPULATION

The parties are working in good faith to complete their settlement documentation. Substantial progress has been made and the parties expect to submit a joint stipulation of dismissal by the end of next week. Thus, the parties ask the Court for a one week extension of time to file the dismissal of this case.

/s/ John J. Dabney
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Attorney for Defendant, MTH Electric Trains

/s/ Robert N. Phillips
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Railroad Company

CERTIFICATE OF FILING

I HEREBY CERTIFY that on December 14, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: John Dabney, McDermott Will & Emery LLP, 600 Thirteenth Street, N.W., Washington, D.C., 20005-3096, jdabney@mwe.com.

/s/ Robert N. Phillips
Robert N. Phillips
Attorney for Union Pacific Railroad
Company